3

AO 455(Rev. 5/85) Waiver of Indictment

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

JOSE SALVADOR HERRERA-TAPIA

WAIVER OF INDICTMENT

CASE NUMBER: 07 CR 3308 WQH

I, JOSE SALVADOR HERRERA-TAPIA, the above named defendant, who is accused of Title 8, U.S.C., Sec. 1325 - Illegal Entry (Misdemeanor); Title 8, U.S.C., Sec. 1325 - Illegal Entry (Felony); Title 8, U.S.C., Sec. 1325 - Illegal Entry (Felony)

being advised of the nature of the charge(s), the proposed information, and of my rights, hereby waive in open court on 12-12-07 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

Jose Herrera

Defendant

Counsel for Defendant

Before

JUDICIAL OFFICER

FILED

DEC 11 2007